

Regional Water Quality Control Board

SJR Salt and Boron TMDL/BPA Workshop

Thursday, April 29, 2004.

Welcome and Introductions

On April 29, 2004, the Central Valley Regional Water Quality Control Board conducted a workshop to identify, evaluate, and build on alternate approaches to the salt and boron control program that: satisfies Regional Board requirements, better meets stakeholder needs, and more comprehensively addresses the salinity and boron issue. Les Grober welcomed workshop participants and introduced Charles Gardiner, Public Affairs Management, who would be facilitating the workshop. Workshop participants introduced themselves. A copy of the sign-in sheet is with RWCQB staff. Charles reviewed the agenda and ground rules of the workshop. Les reviewed the schedule associated with the TMDL Basin Plan amendment, and the challenges which have been thus far identified. Charles highlighted apparent areas of agreement based on informal contact with a variety of interested stakeholders. These areas of agreement include the following:

- Salinity in the San Joaquin River is a problem that needs to be addressed – the problem is very complex, interrelated with other problems, and has multiple natural and man-made causes
- The Regional Board's identification of sources is generally accurate – concerns remain about the equity of the actions to address these sources
- A comprehensive solution, with participation of multiple agencies and interests, is likely to result in greater improvements – a framework is needed to ensure forward progress

Eric Oppenheimer provided an overview of the Regional Board's parameters for any alternate approaches to the salt/boron control program. An alternate approach can be interest-based, but there must be a regulatory backstop. Eric highlighted six principles that should guide the development of alternate approaches:

1. Meet Water Quality Objectives
2. Equitable Allocation of Responsibility
3. Export Salts
4. Clear Rules
5. Provide Assurances
6. Adaptive to Future Water Quality Objectives

Lisa Holm commented that the third principle should read "maintain salt balance" instead of "export salts." Several participants noted that there is a tension between principles two and six and stated that upstream objectives (adaptive to future water quality objectives) should be addressed before determining the equitable allocation of responsibility. The need for adaptive management was recognized.

Presentation of Alternate Approaches

Dave Corey gave a presentation on an alternate approach on behalf of the San Joaquin Water Quality Management Group. This group represents a variety of stakeholders, including system operators, water contractors, irrigation districts, and agencies including the Bureau of Reclamation and the Department of Water Resources. They proposed forming a management group of dischargers, reservoir operators, project operators, and other stakeholders would be formed by MOUs; an open public process would manage the plan's implementation and ensure accountability. The plan would include integrated modeling and monitoring to implement real-time salinity management as suggested by the Regional Board's proposal. Flow related actions could include recirculation, increased coordination of tributary flows, water purchases, transfers and exchanges, and utilizing VAMP. Salinity control actions include: coordinating sub-basin load reduction and management programs, the expansion of agriculture BMPs, managing saline accretion flows through groundwater pumping, and example projects such as Frank's Tract and the South Delta Improvements Program. The group has been meeting for the past month and expects that it would take approximately six months to develop a more specific program and implementation strategy for the Regional Board.

There was a question about the range of assumptions and goals for this alternate plan. Dave noted that the initial goal would be to meet the standard at Vernalis; improvements made to water quality of Vernalis can be added to the program when those objectives are set.

It was stated that tools (such as flows and water supply) might be limited in some areas and not equally available to all players in the management group. Coordination between the members of the management team will help to ensure the success of the plan. Furthermore, some meeting participants commented that the tool box was not totally complete. Flows from Friant should be included to broaden the focus of the control program. Also, San Luis Reservoir might be a source of additional water supply for water quality.

Workshop participants expressed concerns that tools such as those mentioned in the alternate plan have been suggested before, but there has been little commitment to implementation and follow-through. The Management Group representatives acknowledged the importance of assurances and follow-through. The participants, including Reclamation, have agreed to work collectively to provide assurances. There was discussion about Reclamation's actual role in the program. Some workshop participants were skeptical about Federal and State agencies collaboratively working together to meet the standards for which they issue permits.

Les Grober noted that Patrick Porgans and Associates have developed an agricultural drainage alleviation plan that will be provided soon the Regional Board, US EPA, and others.

It was recommended to query the environmental groups and resources agencies to solicit comments regarding environmental impacts.

A workshop participant commented that a TMDL has to ensure that water quality standards are being met throughout the system or there will be consequences. The goal of meeting water quality standards at Vernalis is too narrow. The water quality objectives should be established for the entire river reach at the same time. Increased flows at Vernalis alone won't fix the problem.

Break-Out Session

Workshop participants divided into four break-out groups to develop or refine proposals to address salinity and boron. Two groups focused on actions (flows & timing, load reduction) and two groups focused on implementation planning (roles & responsibilities, assurances). The goal of the break-out sessions was to identify the goals and objectives for each topic and report back to the entire group before lunch. The Regional Board provided a hand-out of the goals, objectives, and actions identified in the Regional Board's proposal for each of the four topics. Les reminded people to attempt to bring the context of the presentations into the group discussions.

Reporting Back

The workshop reconvened and representatives from each break-out group informed meeting participants of the goals, objectives, and issues they individually discussed.

Flows and Timing – The flows and timing group stated that it was difficult to discuss flows without load reduction, since one impacts the other. Flows and timing objectives include the following:

- Flows in the Plan should improve water quality at Vernalis and upstream
- Flows should assist in maintaining or improving the current salt balance in the Valley
- Real-time operations coordination is absolutely critical
- Flows should be timed to maximize water quality benefits (refuges, tile drains)

Load Reduction – Goals for load reduction include the following:

- Load reduction should be implemented and timed with flows (including imports and discharges)
- Consider that water quality objectives vary in the system and it should be an iterative process
- Load caps, assurances, and population growth should all be considered

Roles and Responsibilities – Roles and responsibilities goals include the following:

- All interested parties and their facilities need to be a part of the process
- All agencies (SWRCB, CDFG, FWS, NOAA, etc) need to be a part of the solution and their goals/objectives understood
- The Regional Board needs to consider how this TMDL relates to other TMDLs (DO, pesticides, etc) and regional Board actions
- Assurances must be in place to best meet goals
- The backstop needs to be perceived as fair by all involved

Assurances – Goals for assurances include the following:

- Develop an assurance package that assures compliance with Vernalis objective
- People with tools will commit to actions

- There needs to be a two-tiered process that includes the regulatory backstop including the State Board
- Develop schedules and milestones

Discussion, Conclusions, and Next Steps

Workshop participants discussed the merits of breaking into groups versus working as one group. Meeting attendees agreed to work through lunch and continue the discussion as one uniform group.

The group agreed that the tools described in the Plan are good, some of which are readily available while others are not. Additional sources of flows should be considered, specifically the Friant Water Users. The Regional Board should consider more flexibility in the discharge requirements for low concentration discharges (less than the water quality objectives at Vernalis). The Regional Board should also look at the potential salinity benefits of relaxing dilution requirements for wastewater discharges.

The participants discussed several important, interrelated issues, including the timing of implementing the TMDL and Basin Plan Amendment, the timing and process for defining upstream water quality objectives, the desire to support collaborative solutions to the salinity problem, and the need to develop assurances and commitments that progress will continue and implementation will occur. Based on those discussions, the participants agreed on the following approaches and action steps:

- The San Joaquin Water Quality Management Group proposal should be considered a parallel activity with the TMDL and Basin Plan Amendment. All parties will continue to move both efforts forward together in a coordinated way.
- The Regional Board staff will review the proposed language on realtime management to ensure that it can encompass and supports the SJWQMG approach and process.
- The Regional Board staff will review and refine the timeline and potential assurances for developing upstream water quality objectives.
- The Regional Board staff will work with the State Board to examine possible ways to coordinate review and oversight of flow, timing, and load reduction implementation to improve the assurances that actions will be taken to meet water quality objectives.
- The San Joaquin Water Quality Management Group will review its proposal to identify where additional detail can be developed on the actions, implementation schedule, and commitments and assurances.
- The Regional Board staff will develop and distribute a revised TMDL and Basin Plan Amendment proposal for consideration by the Regional Board in July.

Meeting Participants

Lonnie Wass, Regional Water Quality Control Board
Kevin Abernathy, California Farmers Union and California Dairy Campaign
Mick Berklich, City of Turlock
Byron Buck, Metropolitan Water District
Steve Chedester, San Joaquin River Exchange Contractors Water Authority
David Cory, Exchange Contractors
Paul Creighton, City of Patterson
Mike Delamore, United States Bureau of Reclamation
Debra Denton, United States Environmental Protection Agency
Chris Eacock, United States Bureau of Reclamation
Jose Faria, Department of Water Resources
Charles Gardiner, Public Affairs Management
DeeAnne Gillick, San Joaquin County
Andy Gordus, Department of Fish and Game
Les Grober, Central Valley Regional Water Quality Control Board
John Hansen, Del Puerto Water District
Sam Harader, California Bay-Delta Authority
Karna E. Harrigfeld, Stockton East Water District
John Herrick, South Delta Water Agency
Lisa Holm, Contra Costa Water District
Robert Howard, City of Modesto
Jared Huffman, National Resources Defense Council
Bill Jennings, Delta Keeper
Gita Kapahi, State Water Resources Control Board
Kenneth Landau, Central Valley Regional Water Quality Control Board
Paula Landis, Department of Water Resources
G. Fred Lee, G. Fred Lee and Associates
Gene Lee, United States Bureau of Reclamation
Barbara Leidigh, State Water Resources Control Board
Debra Liebersbach, Turlock Irrigation District
Scott Lower, Grassland Water District
Mel Lytle, San Joaquin County
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Lee Mao, United States Bureau of Reclamation
Tom Maurer, United States Fish and Wildlife Services
Mike McElhiney, United States Department of Agriculture – NRCS
Ron Milligan, United States Bureau of Reclamation
Eric Oppenheimer, Central Valley Regional Water Quality Control Board
Dianne Riddle, State Water Resources Control Board
John Roldan, Friant Water Users Authority
Rudy Schnagl, Regional Water Quality Control Board
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Carolyn Yale, United States Environmental Protection Agency
Roger Zson, California Cotton Growers Association